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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,998	01/29/2004	Cassius Almeida	C04113-000045US01	3635
181 7590 04/07/2008 MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833			EXAMINER CAMPEN, KELLY SCAGGS	
			ART UNIT	PAPER NUMBER
			3691	
			NOTIFICATION DATE	DELIVERY MODE
			04/07/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milesstockbridge.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/765,998	<b>Applicant(s)</b> ALMEIDA ET AL.	
	<b>Examiner</b> KELLY CAMPEN	<b>Art Unit</b> 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.  
4a) Of the above claim(s) 14-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

**+DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of Species I, claims 1-13, in the reply filed on 3/14/2008 is acknowledged.

Claims 14-36 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3/14/2008.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Tenorio (US 2002/0082849)

Gomber et al. disclose a quote and order entry system comprising: a quote interface module adapted to receive information from a quote information source, the quote interface module assembling the received information in an interactive user interface, wherein in the interactive user interface a first category of information is displayed together with one or more bands having a dimension determined based on ask size information and one or more bands having a dimension determined based on bid size information (abstract, figure 3, para [0006, 0013-0017].

Specifically as to claim 2, wherein the first category of information comprises one or more of a stock symbol, last price information, bid tick information, bid price information, price change for day information, ask price information, last size information, a split-buy button and a split-sell button [0006].

Specifically as to claim 3, wherein the one or more bands representing ask size information and the one or more bands representing bid size information are dynamic and are capable of being resized based on liquidity [0020, 0021].

Specifically as to claim 4, wherein the one or more bands representing ask size information and the one or more bands representing bid size information are selectable[0020-0023].

Specifically as to claim 5, wherein upon selection of a band of the one or more bands representing ask size information and the one or more bands representing bid size information, an order module assembles an order based on section information and information associated with the selected band [0024].

Specifically as to claim 6, the information associated with the selected band comprises price point information[0024-0025].

Specifically as to claim 7, wherein the selected band further includes market participant information including at least one of market-maker identifiers, exchange identifiers and Electronic Communication Network identifiers [0014].

Specifically as to claim 8, wherein the one or more bands representing ask size information and the one or more bands representing bid size information are resizable based on

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at least one of linear proportions, logarithmic proportions, linear resizable proportions and scale to fit [0015,0018, 0020].

Specifically as to claim 9, further comprising a stop button that freezes the one or more bands representing ask size information and the one or more bands representing bid size information (design choice--0006, 00020).

Specifically as to claim 10, wherein the one or more bands representing ask size information and the one or more bands representing bid size information are user configurable such that at least one of color, size, font, refresh rate, minimum band width, maximum band width and proportionalities can be selected (figures 1, 3, and 0020).

Specifically as to claim 11, a summary module adapted to display at least one of summary information and order information (design choice, Tenorio is capable of performing this function).

Specifically as to claim 12, an order module that is capable of assembling and displaying one or more of an order preview interface and an order confirmation interface (see above rejection for claim 11).

Specifically as to claim 13, an order preview interface and an order confirmation interface are capable of being disabled to allow one-click transactions (see above rejection for claim 11).

***Examiner's Note***

Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are

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representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gomber et al. disclose an integrated order pre matching system. Ram et al. disclose an interactive grid-based graphical trading system for real time security trading. Baluga et al. disclose data logging for resident applications within portable electronic devices. Kriegsman discloses web serving systems. Sandhu et al. disclose systems for conducting web-based financial transaction in capital markets. Palaniappan et al. disclose menu infrastructure methods. Hollander disclose online store management. Shavit et al. disclose an interactive market management system. Wada et al. disclose a method for computer aided generation of design reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KELLY CAMPEN whose telephone number is (571)272-6740. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kelly S. Campen/  
Examiner  
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